IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO. 2283 OF 2006

Devwadi Rehavasi Seva Sangh
& Anr. ... Petitioners

Versus

The Charity Commissioner,
Maharashtra Mumbai and Ors. Respondents

Mr. Manish Mistry i/by M.P. Vashi & Associates for Petitioner.

Mr. D.S. Sakhalkar for R. No. 3.

Ms. Sheetal M. Mukar with Mr. S.D. Naik for R. No. 4.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED: SEPTEMBER 27, 2006

P.C.:

. The respondent No. 3 after following due procedure and taking permission from the Charity Commissioner, sold the property in favour of Respondent No. 4. The counsel for Respondent Nos. 3 and 4 agreed that the entire consideration has been received. It seems that some time was given for completing the transaction and the transaction was not completed within that period. Pursuant to that extension of time was sought from Respondent No. 1.

. It is the case of the Petitioner that the property has been sold for a value less than the market value. The Petitioners had not applied when

the property was advertised for sale. In these circumstances, in our opinion it will not be open to the Petitioners, more so, after the consideration has been paid by Respondent No. 4 to Respondent No. 3 and has been accepted, to challenge the said sale. Considering this, it will not be fit case for this court to exercise our extra ordinary jurisdiction. Petition disposed of.

(ANOOP V. MOHTA,J.) **(F.I.REBELLO, J.)**